IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE A.K.BASHEER

FRIDAY, THE 29TH JUNE 2007 / 8TH ASHADHA 1929

WP(C).No. 20039 of 2007(I)

PETITIONER:

BALUSSERI CO-OP.ARTS AND SCIENCE COLLEGE LTD, POST-BALUSSERI, KOZHIKODE REP. BY ITS PRESIDENT.

BY ADV. SRI.P.P.JACOB
SRI.N.T.SATHYAVAN

RESPONDENTS:

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1. K.P.ANILKUMAR, S/O.PAVITHRAN, UTHRADAM, AMBILI PARAMBU, MARIKUNNU-POST, KOZHIKODE-12.

2. THE JOINT REGISTRAR OF CO-OPERATIVE SOCIETIES (G),KOZHIKODE.

BY GOVT. PLEADER SRI. P.N. SANTHOSH

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 29/06/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

A.K. BASHEER, J.

W.P.(C). NO. 20039 OF 2007

Dated this the 29th day of June, 2007

J U D G M E N T

Petitioner is a Co-operative Bank. It appears that the Bank had initiated disciplinary proceedings against respondent No.1, who in turn had approached the Joint Registrar, Co-operative Societies, Kozhikode, (respondent No.2 herein), praying for rescinding the relevant resolution passed by the Bank. On receipt of the above request from respondent No.1, Joint Registrar had issued Ext.P6 notice to the Bank inviting its response.

2. Learned counsel for the petitioner/Bank submits that Ext.P7 preliminary objection statement had been preferred by the petitioner against Ext.P6 notice. However, petitioner apprehends that respondent No.2 is likely to ignore Ext.P7 and pass an order.

3. Learned Government Pleader submits that if Ext.P7 has been preferred by the petitioner, necessarily the Joint Registrar will have to consider the same. I do not find any material to show that the apprehension of the petitioner is well-founded.

Anyhow, the writ petition is disposed of with a direction to respondent No.2 to take a decision in the matter pursuant to Ext.P6 only after affording the petitioner an opportunity to be heard and also in the light of the preliminary objection raised by it in Ext.P7.

A.K. BASHEER, JUDGE

vps

A.K. BASHEER, JUDGE

OP NO.20954/00

JUDGMENT

1ST MARCH, 2007